IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

COMPANY PETITION NO.699 OF 2006

Bhupendra D. Goradia & Ors. ..Petitioners.

Vs.

M/s. Medichek India Pvt. Ltd. ..Respondent.

....

Mr. J.P. Sen with Nita Solanki for the Petitioners.
Mr. K.P. Jain i/b Tushar Goradia for the Respondent.

....

CORAM: **DR. D.Y. CHANDRACHUD, J.**

4th April, 2007.

P.C. :

The dispute before the Court in the Company Petition forms the subject matter of a Summary Suit instituted before this Court under Order 37 of the Code of Civil Procedure. At the hearing of the Company Petition, learned counsel appearing for the parties had sought an adjournment to take instructions on whether, having regard to the nature of the dispute and the pendency of the Summary Suit, parties will be willing to agree on a reference to arbitration. Accordingly, the Court has been informed that parties have agreed to a reference to arbitration of the disputes raised before the Court in

Summary Suit 3272 of 2006. In that view of the matter, the Court has been informed that it is not necessary or appropriate for this Court to invoke the jurisdiction in the winding up. The Company Petition is accordingly disposed of.